United States Department of the Interior

FISH AND WILDLIFE SERVICE
New Mexico Ecological Services Field Office
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April 12, 2001

Cons. # 2-22-01-I-332

Lt. Colonel Raymond G. Midkiff
ATTN: Environmental Resources Branch
Albuquerque District, Corps of Engineers
4101 Jefferson Plaza, NE
Albuquerque, New Mexico 87109

Dear Lt. Colonel Midkiff;

This responds to your April 11, 2001, letter and Environmental Assessment with biological evaluation included therein, for the proposed storage of Rio Grande Compact credit water in Abiquiu and Jemez Canyon Reservoir. The U.S. Army Corps of Engineers (Corps) has requested concurrence with their determinations that the proposed action may affect but is not likely to adversely affect the southwestern willow flycatcher, the Rio Grande silvery minnow, and the bald eagle. The Corps also determined that the proposed project will have no effect on the interior least tern and the whooping crane.

The Corps proposes to store native New Mexico water in Abiquiu and Jemez Canyon Reservoirs to supplement flows in the main stem Rio Grande for the benefit of the Rio Grande silvery minnow. Capture of the water will begin with the spring runoff period beginning in April 2001. The State of New Mexico has proposed to make available, through sale, a portion of its Rio Grande Compact accumulated credit water stored in Elephant Butte Reservoir, by moving that water into upstream storage in Abiquiu and Jemez Canyon Reservoirs through exchange and establishing a temporary conservation pool. The water would be stored when native flows exceed downstream demands. Storage at Jemez Canyon Reservoir would begin in early April and at Abiquiu in mid-April. Storage at Jemez Canyon Reservoir would be limited to the top of the sediment pool (24,425 acre feet). Storage at Abiquiu Reservoir would be limited by the available amount of runoff and not exceed a total pool volume of 183,381 acre feet. The Abiquiu release would be limited to 150 cfs during the time period when excess flows are being stored. The release rates could increase in order to meet demand but would not drop below target rates. The amount of water available for release for silvery minnow purposes would not exceed 30,000 acre feet in a given year, unless unused stored water is carried over. The amount of water in excess to demand that could be stored in Jemez Canyon is approximately 24,000 acre feet and at Abiquiu approximately 45,000 acre feet could be stored. Release of stored supplemental water would start in late

June or early July, and continue through the end of the irrigation season. The release rate from Abiquiu and Jemez Canyon Reservoirs would be proportional to the amount of supplemental water stored in each reservoir. Preliminary estimates show that the target release of 100 cfs would be made up of a release of 20 cubic feet per second (cfs) from Jemez Canyon Reservoir and 80 cfs from Abiquiu Reservoir.

A supplemental release (spike) of 5200 cfs will be released in late May for two to five days to accommodate movement of sediment as a part of habitat restoration/construction activities on the Rio Grande and Jemez River on the Santa Ana Pueblo.

A maximum of 30,000 acre feet of credit water can be delivered during each calendar year. Available conservation pool water will be delivered to maintain a flow of 100 cfs over the Isleta Diversion Dam and not less than 50 cfs over San Acacia Diversion Dam (calculated to be sufficient water to keep the river wet throughout the irrigation season south to at least Escondida, even in abnormally dry years).

The U.S. Fish and Wildlife Service (Service) concurs with the Corps' determination that the proposed storage of native water in Abiquiu and Jemez Canyon Reservoirs may affect, but is not likely to adversely affect, the Rio Grande silvery minnow, the southwestern willow flycatcher, and the bald eagle. This concurrence is based on the following reasons: 1) the project is consistent with management recommendations in the Silvery Minnow Recovery Plan (section 1.2.3); 2) the storage of water during periods of high flows will not cause intermittency in any reach of the Middle Rio Grande prior to or during the spawning period; 3) the water obtained through this project will supplement flows in the Rio Grande during periods when more catastrophic intermittency would have occurred, therefore the supplemental water will benefit the silvery minnow and the southwestern willow flycatcher; 4) there are no known sites of occupied southwestern willow flycatcher habitat on the Rio Chama or Jemez River; 5) the storage of water in Abiquiu and Jemez Canyon Reservoirs will occur in periods when bald eagles are not known to use these reservoirs; and 6) any water carried over in these reservoirs during the winter will provide more habitat for prey species of the bald eagle.

If new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this analysis; the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this analysis; a new species is listed or critical habitat designated that may be affected by the action; or if the states of Colorado, New Mexico, or Texas rescind approval for the storage of this credit water, reinitiation of consultation will be necessary.

The Service appreciates the opportunity to comment on the proposed project. If you have any questions, please contact Theresa Davidson at the letterhead address or at (505) 346-2525, ext. 111.

Sincerely,

Joy E. Nicholopoulos

Joy E. Nicholopoulos
Field Supervisor

Enclosure

cc: (w/o enc)
Director, New Mexico Department of Game and Fish, Santa Fe, New Mexico
Director, New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division, Santa Fe, New Mexico